



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,108	07/22/2003	Robert James Howard	711-007US	9419

49767	7590	01/22/2008
DEMONT & BREYER, LLC		
100 COMMONS WAY, Ste. 250		
HOLMDEL, NJ 07733		

EXAMINER	
CALLAHAN, PAUL E	

ART UNIT	PAPER NUMBER
2137	

MAIL DATE	DELIVERY MODE
01/22/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/625,108

Applicant(s)

HOWARD ET AL.

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7,10,11,17,18,21 and 29 is/are rejected.
- 7) ☒ Claim(s) 8,9,12-16,19,20,24-28,30 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 and 24-38 were pending in the instant application at the time of the previous Office Action, mailed 1/10/2007. By the latest amendment, filed March 13, 2007, claims 32-38 are cancelled. Therefore claims 1-21 and 24-31 are pending and have been examined.

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

3. The indicated allowability of claims 10-20 is withdrawn in view of the newly discovered reference(s) to Erkinger et al., US 6,240,477. Rejections based on the newly cited reference(s) follow.

Drawings

4. The drawings were received on March 13, 2007. These drawings are approved.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2137

6. Claims 7, 10, 11, 17, 18, 21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkinger et al., US 6,240,477, and Kaysen, US 6,839,776.

As for claim 10, Erkinger teaches an apparatus comprising: a computer peripheral comprising a first port (abstract, col. 6 lines 45-50, col. 7 lines 25-30, fig. 1: TV, element 30); a host computer comprising a second port (fig. 1: PC, col. 8 lines 40-45, elements 30'''); a computer network comprising a third port and a fourth port (fig. 1 elements 23, 23''', 8, col. 6 lines 23-28), wherein said third port is coupled to said second port (col. 8 lines 34-48); a first adapter, wherein said first adapter contains a first hardware for storing a unique identifier (col. 4 lines 14-44, fig. 1 element 5, col. 7 lines 20-30, col. 7 lines 42-49); said first hardware; a second adapter (fig. 1 element 14, col. 8 lines 34-52), wherein said first adapter couples said first port to said second adapter (col. 6 lines 42-45), and wherein said second adapter couples said first adapter to said fourth port (col. 8 lines 34-52); a first software module, wherein said first software module consults a list of identifiers within said first software module (col. 12 lines 40-45); and a second hardware for enabling communication to and from said computer peripheral (col. 12 lines 40-55). Erkinger does not teach the steps where the first software module is associated with the host computer, or where the second hardware is under the control of the host computer, or where the list of identifiers is a list of identifiers associated with peripherals authorized for use with the host computer. However Kaysen does teach these features (col. 1 lines 8-15, col. 2 lines 1-10, 43-12). Therefore it would have been obvious to one of ordinary skill in the art at the time the

Art Unit: 2137

invention was made to have incorporated these features into the apparatus of Erkinger. It would have been desirable to do so since this would allow for more rapid attachment of peripherals to a computer network bus by allowing only authorized peripherals. Motive to make the combination is taught by Erkinger at, for example col. 2 lines 50-57 where the advantage of rapid peripheral attachment is discussed.

As for claim 7, the claim recites substantially the same limitations as does claim 21 and is therefore rejected on the same basis as claim 21.

As for claim 11, Erkinger teaches the apparatus of claim 10 wherein said second hardware is contained within said first adapter (col. 7 lines 20-65).

As for claim 17, Erkinger teaches the apparatus of claim 10 wherein said unique identifier comprises a peripheral type (col. 13 lines 30-40)

As for claims 18 and 29, Erkinger teaches the apparatus of claims 10 and 21 further comprising a second software module associated with said host computer, wherein said second software module: retrieves said first unique identifier from said first adapter; compares said first unique identifier with said list; and enables said communication if a match of said unique identifier is found in said list (col. 7 lines 50-60, col. 12 lines 40-55, col. 13 lines 13-40).

Art Unit: 2137

As for claim 21, the claim recites substantially the same limitations as does claim 10, with the primary difference being the added limitation set forth in claim 21 of the second hardware being contained within the first or the second adapter. This feature is taught by Erkinger at col. 7 lines 20-65). The balance of the limitations set forth by claim 21 are substantially identical to those of claim 10 and are rejected on the same basis as those of claim 10.

Allowable Subject Matter

7. Claims 1-6 are allowed.
8. Claims 8, 9, 12-16, 19, 20, 24-28, 30, and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter: The prior art in the field does not teach the combination of features of the claimed invention as set forth in independent claims 1 and 2, particularly including:

As for claim 1, where the adaptor is destroyed when removed from the peripheral,

As for claims 2, where the first and second adapters are first and second keyed connectors that are keyed to one another.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.


If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


/Paul Callahan/

January 14, 2008

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100


1/20/08